

AMENDED

TEMPORARY

NO. 61967

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APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAR 20 1996

Returned to applicant for correction APR 05 1996

Corrected application filed

Map filed MAY 17 1996

The applicant WEBER LIVESTOCK INC., hereby makes application for permission to change the place of use of a portion of water heretofore appropriated under Truckee Carson Irrigation District Serial No. 303-2 & United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in the Federal District Court of Nevada.

1. The source of water is Truckee and Carson Rivers
2. The amount of water to be changed 22.05 FT.
3. The water to be used for as decreed
4. The water heretofore permitted for as decreed
5. The water is to be diverted at the following point Lahontan Dam within SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, T.19N., R.26E., M.D.B.&M.
6. The existing permitted point of diversion is located within no change.
7. Proposed place of use SW $\frac{1}{4}$ NW $\frac{1}{4}$ (6.30 ac) Sec. 28, T.18N., R.29E. M.D.B.&M.
8. Existing place of use SW $\frac{1}{4}$ SW $\frac{1}{4}$ (6.30 ac) Sec 26, T.18N. R.29E. M.D.B.&M.
9. Use will be from as decreed.
10. Use was permitted from as decreed.
11. Description of proposed works dams, canals & ditches
12. Estimated cost of works complete
13. Estimated time required to construct works complete
14. Estimated time required to complete the application of water to beneficial use 3 years
15. Remarks: Water will be delivered to the proposed place of use via the "L" line canal.

By s/ Barry A. Fitzpatrick
Barry A. Fitzpatrick, S.W.R.S. #817
137 Keddle Street
Fallon, Nevada 89406

Compared cl/jk cl/cms

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 15, 1996 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 22.05 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

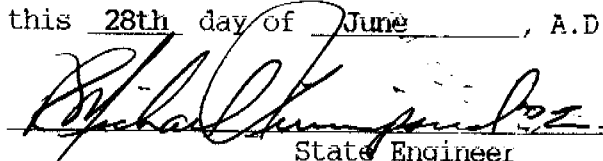
Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office,

this 28th day of June, A.D. 1996


State Engineer

RECEIVED

DATE NOV 11 1996